

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

RANDY ROBERTSON,
ADC #107098, et al.,

PLAINTIFFS

v.

4:13CV00508-KGB-JTK

BRUCE PENNINGTON, et al.

DEFENDANTS

ORDER

By Order dated October 1, 2013 (Doc. No. 13), this Court granted Plaintiffs' Motions to Proceed in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983. However, finding the Complaint too vague and conclusory to enable the Court to determine whether it is frivolous, fails to state a claim, or states a legitimate claim, the Court directed them to submit an Amended Complaint within thirty days. The Court also cautioned Plaintiffs that an Amended Complaint would render the Original Complaint without legal effect, and would take the place of the Original Complaint. Plaintiff Robertson has now submitted an Amended Complaint (Doc. No. 14).¹ Having reviewed the Amended Complaint for screening purposes only,² it now appears to the Court that service is appropriate with respect to Plaintiff Robertson's medical claims against the Defendants. Accordingly,

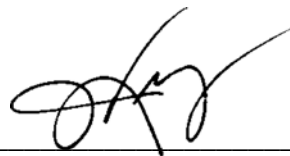
IT IS, THEREFORE, ORDERED that service is appropriate for the Defendants Bruce Pennington and Lt. Birdsong. The Clerk of the Court shall prepare summons for the Defendants and

¹Plaintiff Robertson lists himself as the only Plaintiff in the "Parties" section of the Complaint, yet signed the names of the other two co-Plaintiffs in the "Relief" section of the Complaint (Doc. No. 14, p. 6.)

²The Prison Litigation Reform Act requires federal courts to screen prisoner complaints seeking relief against a governmental entity, officer, or employee. 28 U.S.C. Sect. 1915A(a).

the United States Marshal is hereby directed to serve a copy of the Amended Complaint (Doc. No. 14) and summons on Defendants Pennington and Birdsong without prepayment of fees and costs or security therefore.

IT IS SO ORDERED this 15th day of November, 2013.

A handwritten signature in black ink, appearing to read 'J. Kearney', is written over a horizontal line.

JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE